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Patent and Trademark Office**

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09/406,795 09/28/99 KIMURA

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| EXAMINER |
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WM01/0717

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| ERENEL V | |
| ART UNIT | PAPER NUMBER |

2673
DATE MAILED:

07/17/01

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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Office Action Summary

Application No.
09/406,795

Applicant(s)
Kimura Hajime

Examiner
Vanel Frenel

Art Unit
2673



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☒ All b) ☐ Some* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 20) ☐ Other: _____

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adler et al (4,766,424) in view of Parks (4,963,859).

As to claims 1 and 10, Adler discloses a touch panel (Col.2; lines 55-60) comprising a light guide panel including a first translucent material (Fig.1 (40); Col.4; lines 54-58); an optical sensor array (Fig.1 (24); Fig.2a (52); Col.4; lines 59-68; Col.5; lines 1-13) having a light receiving face thereof opposed to a first face side of the light guide panel ; a lens sheet (Fig.5 (72); Col.7; lines 26-41) having a light emitting face thereof opposed to a second side face of the light guide panel which opposed to the first side face. However, Adler does not explicitly teach illumination means for illuminating an incident light face of the lens sheet.

Parks teaches using illuminating incident light face of the lens sheet (Fig.1 and 2; Col.5; lines 3-68).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the illuminating incident light as taught by Parks in the graphics display apparatus

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of Adler to provide a method of writing or drawing on a surface which is supported by transparent material using the tip of an instrument as suggested by Parks.

As to claim 2, Adler does not disclose the touch panel wherein a refractive index of the first translucent material is 1.45 to 1.7. However, the use of a refractive index of the first translucent material is 1.45 to 1.7 is a matter of design's choice.

As to claims 3 and 12, Adler discloses the touch panel wherein the light emitting face of the lens sheet has a plurality of prismatic or semicylindrical protrusions. However, the use of the light emitting face of the lens sheet has a plurality of prismatic or semicylindrical protrusions is a matter of design's choice.

As to claims 4 and 13, Adler discloses the touch panel wherein the illumination means includes light emitting diodes (Col.4; lines 1-19).

As to claims 5 and 15, Parks discloses the touch panel wherein the touch panel is equipped with an input pen (Fig.1 (15) which is brought into contact with a surface of the light guide panel, and a contact portion of the input pen with the light guide panel includes a second translucent material of which the refractive index is equal to or greater than that of the first translucent material (Fig.1 and 2; Col.5; lines 3-68).

As to claims 6, Parks discloses the touch panel wherein the touch panel is equipped with an input pen which is brought into contact with a surface of the light guide panel, and a contact portion of the input pen with the light guide panel, and a tail end portion of the input pen includes a material which absorbs illuminating light from the illumination means (Col.4; lines 21-50).

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As to claim 7, Adler discloses the touch panel is mounted in front of a display screen of a display device (Fig.1 (14)).

As to claim 8, Adler discloses the display device is a liquid crystal device (Col.3; lines 1-6).

As to claims 9 and 18, Adler discloses the touch panel is mounted in front of a display screen of a display device is an electro-luminescence display device (Col.3; lines 1-6).

As to claim 11, Adler discloses the electronic equipment wherein a refractive index of the first translucent material is 1.4 to 1.7 (Col.).

As to claims 14, Parks discloses the electronic equipment wherein the touch panel is equipped with an input pen which is brought into contact with a surface of the light guide panel, and a contact portion of the input pen with the light guide panel, and a contact portion of the input pen with the light guide panel includes a second translucent material of which the refractive index is equal to or greater than that of the first translucent material (Col.4; lines 21-68).

As to claims 16, Adler discloses the electronic equipment provided with the display device and the touch panel is selected from an information terminal equipment and an electronic book (Fig.1).

As to claims 17, Adler discloses the electronic equipment wherein the display device is a liquid crystal display device (Col.3; lines 1-6).

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Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vanel Frenel whose telephone number is (703)-305 4952 .The examiner can be reached on Monday through Thursday from 6:30 to 5:00 pm .

If attempts to reach the examiner by telephone are unsuccessful, the examiner 's supervisor, Shalwala Bipin, can be reached on (703)-305 -4938.

Any inquiry of general nature or relating to the status of this application or proceeding should be directed to Group receptionist whose telephone number (703) 305-4700.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 308-6606 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Vanel Frenel

Vanel Frenel
June 15, 2001



BIPIN SHALWALA
SUPERVISORY PATENT EXAMINER
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